

#4
PATENT APPLICATION
Navy Case No.: 79,212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Singh et al.

Serial No.: 09/725,309

Filed: November 29, 2000

For: PASSIVATION OF NERVE AGENTS BY SURFACE MODIFIED ENZYMES
STABILIZED BY NON-COVALENT IMMOBILIZATION ON ROBUST, STABLE
PARTICLES

Examiner: Hutson, Richard

Art Group Unit: 1652

March 29, 2002

Honorable Commissioner of Patents
Washington, D.C. 20231

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APR 02 2002
TECH CENTER 1600/2900

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MAR 29 2002

PETITIONS OFFICE

**PETITION TO RESET REPLY PERIOD FOR RESPONDING
TO RESTRICTION REQUIREMENT**

Sir:

This communication is responsive to the office action dated February 13, 2002 in the above-identified patent application. The office action was a restriction requirement and set a one month shortened statutory period for reply, as indicated in the attached copy of the Office Action Summary. Pursuant to MPEP 710.06, applicants request the resetting of the reply period for responding to the restriction requirement.

STATEMENT OF FACTS

The cover sheet accompanying the office action, a copy of which is attached, indicates that it was mailed on February 13, 2002. The cover sheet also has a date stamp that reads "RECEIVED MAR 06 2002 TECH CENTER 1600/2900". This would appear to indicate that the office action was actually mailed no earlier than March 6.

On March 28, 2002, our office at the Naval Research Laboratory received the office action. This is evidenced by the attached copy of the cover sheet accompanying the office action.

PATENT APPLICATION
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The cover sheet has the date stamp "RECEIVED MAR 28 2002" at the top. All mail sent to the Naval Research Laboratory is irradiated, causing a considerable delay in delivery. Based on the stated mailing date of February 13, the period for reply to the office action had already expired when it was received. However, if the actual mailing date was no earlier than March 6, then the attached response is timely and no reset is needed. This petition is being submitted within two weeks of the receipt of the delayed office action.

Applicants request that this petition be granted and the reply period be reset or, in the alternative, that the attached response be considered timely based on a later mailing date by the USPTO. In the event that this petition is denied, Applicants authorize payment of the Extension of Time fee from Deposit Account No. 50-0281. In any case, Applicants request that the attached response be forwarded to the Examiner.

In the event that a fee is required, please charge the fee to Deposit Account No. 50-0281,

PATENT APPLICATION
Navy Case No.: 79,212

and in the event that there is a credit due, please credit Deposit Account No. 50-0281.

Respectfully submitted,
[Signature] Reg. No. 34208
for
John J. Karasek
Reg. No. 36, 182
Phone No. 202-404-1552
Associate Counsel (Patents)
Naval Research Laboratory
4555 Overlook Ave, SW
Washington, DC 20375-5325

Prepared by:
Joseph T. Grunkemeyer
Reg. No. 46,746
Phone No. 202-404-1556

CERTIFICATION OF FACSIMILE TRANSMISSION

I certify that this paper is being facsimile transmitted to the Patent and Trademark Office
on the date shown below.

3-29-02
Date

[Signature]
Joseph T. Grunkemeyer



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,309	11/29/2000	Alok Singh	79,212	8594

7590 02/13/2002

Associate Counsel (Patents), Code 1008.2
Naval Research Laboratory
Washington, DC 20375-5000

EXAMINER

HUTSON, RICHARD G

ART UNIT PAPER NUMBER

1652

3

DATE MAILED: 02/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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MAR 29 2002

PETITIONS OFFICE

RECEIVED MAR 23 2002
Office Action Summary

Application No.

09/725,309

Applicant(s)

SINGH ET AL.

Examiner

Richard G Hutson

Art Unit

1652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-14 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s): _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

**Fax transmission from:**

U.S. Naval Research Laboratory
Associate Counsel Intellectual Property, Code 1008.2
4555 Overlook Avenue, SW
Washington, DC 20375-5325

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From: Joe Grunkemeyer

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Fax: 703-308-6916 FAX RECEIVED

Cover Sheet + 9 Pages

MAR 29 2002

PETITIONS OFFICE

Message:

Fee Transmittal (1 p.)

Petition to Reset Reply Period (5 p.)

Response to Restriction Requirement (3 p.)

Serial # 09/725,309

Docket # 79,212

Filed 11-29-00

Inventor: Singh et al.

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130

Complete if Known

Application Number	09/725,309
Filing Date	November 29, 2000
First Named Inventor	Singh
Examiner Name	Hutson, Richard
Group Art Unit	1652
Attorney Docket No.	79,212

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APR 02 2002

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METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																													
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account Number: <u>50-0281</u> Deposit Account Name: <u>Naval Research Laboratory</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status, See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105 130 205 65</td><td></td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127 50 227 25</td><td></td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139 130 139 130</td><td></td><td>Non-English specification</td><td></td></tr> <tr><td>147 2,520 147 2,520</td><td></td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112 920* 11 2 920*</td><td></td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113 1,840* 113 1,840*</td><td></td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115 110 215 55</td><td></td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116 400 216 200</td><td></td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117 920 217 460</td><td></td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118 1,440 218 720</td><td></td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128 1,960 228 980</td><td></td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119 320 219 160</td><td></td><td>Notice of Appeal</td><td></td></tr> <tr><td>120 320 220 160</td><td></td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121 280 221 140</td><td></td><td>Request for oral hearing</td><td></td></tr> <tr><td>138 1,510 138 1,510</td><td></td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140 110 240 55</td><td></td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141 1,280 241 640</td><td></td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142 1,280 242 640</td><td></td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143 460 243 230</td><td></td><td>Design issue fee</td><td></td></tr> <tr><td>144 620 244 310</td><td></td><td>Plant issue fee</td><td></td></tr> <tr><td>122 130 122 130</td><td></td><td>Petitions to the Commissioner</td><td>130</td></tr> <tr><td>123 50 123 50</td><td></td><td>Processing fee under 37 CFR 1.17(c)</td><td></td></tr> <tr><td>126 180 126 180</td><td></td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581 40 581 40</td><td></td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146 740 246 370</td><td></td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149 740 249 370</td><td></td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179 740 279 370</td><td></td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169 900 169 900</td><td></td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="3">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="2">SUBTOTAL (1) (\$ 0</td> <td colspan="2">SUBTOTAL (3) (\$ 130</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	105 130 205 65		Surcharge - late filing fee or oath		127 50 227 25		Surcharge - late provisional filing fee or cover sheet		139 130 139 130		Non-English specification		147 2,520 147 2,520		For filing a request for ex parte reexamination		112 920* 11 2 920*		Requesting publication of SIR prior to Examiner action		113 1,840* 113 1,840*		Requesting publication of SIR after Examiner action		115 110 215 55		Extension for reply within first month		116 400 216 200		Extension for reply within second month		117 920 217 460		Extension for reply within third month		118 1,440 218 720		Extension for reply within fourth month		128 1,960 228 980		Extension for reply within fifth month		119 320 219 160		Notice of Appeal		120 320 220 160		Filing a brief in support of an appeal		121 280 221 140		Request for oral hearing		138 1,510 138 1,510		Petition to institute a public use proceeding		140 110 240 55		Petition to revive - unavoidable		141 1,280 241 640		Petition to revive - unintentional		142 1,280 242 640		Utility issue fee (or reissue)		143 460 243 230		Design issue fee		144 620 244 310		Plant issue fee		122 130 122 130		Petitions to the Commissioner	130	123 50 123 50		Processing fee under 37 CFR 1.17(c)		126 180 126 180		Submission of Information Disclosure Stmt		581 40 581 40		Recording each patent assignment per property (times number of properties)		146 740 246 370		Filing a submission after final rejection (37 CFR § 1.129(a))		149 740 249 370		For each additional invention to be examined (37 CFR § 1.129(b))		179 740 279 370		Request for Continued Examination (RCE)		169 900 169 900		Request for expedited examination of a design application		Other fee (specify) _____				SUBTOTAL (1) (\$ 0		SUBTOTAL (3) (\$ 130	
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**or number previously paid, if greater. For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	John J. Karasek	Registration No. (Attorney/Agent)	36,182
Signature	<i>John J. Karasek</i>	Telephone	202-404-1552
	<i>Large Reg No. 31,228 for John J. Karasek</i>	Date	3/29/02

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